

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Irvin Jefferson Wilson, #0811,)	Civil Action No. 6:15-4809-MGL
)	
	Plaintiff,	
)	
v.)	<u>ORDER</u>
)	
Tina, Nurse, House of Raeford, Columbia)	
Farms, Greenville, SC; Luke Brewer,)	
Supervisor, House of Raeford, Columbia Farms,)	
Greenville, SC,)	
Defendants.		

Plaintiff Irvin Jefferson Wilson, (“Plaintiff”), proceeding *pro se*, brings this civil action construed as pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e *et seq.*, and federal constitutional protections. (ECF No. 1). In accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2), D.S.C., this matter was referred to United States Magistrate Judge Thomas E. Rogers, III, for review pursuant to the procedural provisions of 28 U.S.C. § 1915 and § 1915A.

On March 8, 2016, the Magistrate Judge issued a Report and Recommendation, (“the Report”), (ECF No. 12), recommending that the Complaint be dismissed without prejudice and without issuance and service of process. On March 23, 2016, Plaintiff filed an Objection to the Report, (ECF No. 14), and the matter is now ripe for decision.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *See Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination of any portion of the Report of the Magistrate Judge to which a specific objection is

made. The Court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b). In the absence of a timely filed Objection, a district court need not conduct a *de novo* review, but instead must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

In light of the standards set forth above, the Court has reviewed, *de novo*, the entire record, including, in particular, the Report and Plaintiff’s Objection. The Court concludes that none of Plaintiff’s objections supply facts or argument which meaningfully counter the reasoned conclusion of the Magistrate Judge that Plaintiff’s Complaint fails to allege any actionable federal claims.

For the forgoing reasons, the Court concurs with the reasoning of the Magistrate Judge and adopts the Report and incorporates it herein by reference, (ECF No. 12), overruling Plaintiff’s Objection. (ECF No. 14). Plaintiff’s Complaint is thereby **DISMISSED** without prejudice and without issuance and service of process. Additionally, in light of the foregoing, and consistent with the Report’s recommendation, the Court expressly declines to exercise supplemental jurisdiction over any potential state law claims presented.

IT IS SO ORDERED.

s/Mary Geiger Lewis
United States District Judge

March 25, 2016
Columbia, South Carolina